

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 63

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BAKER.

2169H.011

JOSEPH ENGLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article I of the Constitution of Missouri, by adopting one new section relating to reproductive health care.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2026, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article I of the Constitution of the state of Missouri:

Section A. Article I, Constitution of Missouri, is amended by adopting one new section, to be known as Section 36(a), to read as follows:

Section 36(a). 1. Notwithstanding any provision of Section 36 of Article I of this constitution to the contrary:

(1) No abortion shall be performed or induced upon a woman, except in cases of medical emergency, rape, or incest. In the case of abortions performed or induced in cases of rape or incest, the abortion may be performed or induced no later than twelve weeks gestational age of the unborn child and only if documentation is presented to the attending physician that the rape or incest has been reported to a law enforcement agency that has jurisdiction to investigate the complaint at least forty-eight hours prior to the abortion;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 **(2) No public funds shall be expended for the purpose of performing or inducing,**
11 **or otherwise assisting, any abortion;**

12 **(3) No gender transition surgeries shall be knowingly performed on children**
13 **under eighteen years of age and no cross-sex hormones or puberty-blocking drugs shall**
14 **be knowingly prescribed or administered for the purpose of gender transition to**
15 **children under eighteen years of age. The provisions of this section shall not apply to**
16 **the use of such surgeries, drugs, or hormones to treat children born with a medically**
17 **verifiable disorder of sex development or to treat any infection, injury, disease, or**
18 **disorder unrelated to the purpose of a gender transition; and**

19 **(4) Any person who intentionally or negligently causes damage to another**
20 **person relating to the provision of prenatal care, childbirth, postpartum care,**
21 **miscarriage care, or for the performance or inducement of an abortion shall be liable**
22 **for damages and shall be subject to the suspension or revocation of his or her medical**
23 **license.**

24 **2. A woman's right to reproductive freedom shall include the right to health care**
25 **in cases of miscarriages, ectopic pregnancies, and other medical emergencies and the**
26 **provisions of this section shall not be construed to limit a woman's access to such health**
27 **care.**

28 **3. The general assembly shall have the authority to enact laws to carry out the**
29 **provisions of this section.**

30 **4. As used in this section, the following terms mean:**

31 **(1) "Cross-sex hormones", testosterone, estrogen, or other androgens given to an**
32 **individual in amounts that are greater or more potent than would normally occur**
33 **naturally in a healthy individual of the same age and sex;**

34 **(2) "Gender transition surgery", a surgical procedure performed for the**
35 **purpose of assisting an individual with identifying with and living as a gender different**
36 **from his or her biological sex;**

37 **(3) "Medical emergency", a condition which, based on reasonable medical**
38 **judgment, so complicates the medical condition of a pregnant woman as to necessitate**
39 **the immediate termination of her pregnancy to avert the death of the pregnant woman**
40 **or for which a delay will create a serious risk of substantial and irreversible physical**
41 **impairment of a major bodily function of the pregnant woman. A "medical emergency"**
42 **shall include, but not be limited to, an ectopic pregnancy at any point following the**
43 **diagnosis of such;**

44 **(4) "Puberty-blocking drugs", gonadotropin-releasing hormone analogues or**
45 **other synthetic drugs used to stop luteinizing hormone secretion and follicle stimulating**
46 **hormone secretion, synthetic antiandrogen drugs to block the androgen receptor, or any**

47 **other drug used to delay or suppress pubertal development in children for the purpose**
48 **of assisting an individual with a gender transition.**

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this joint resolution to the voters of this state, the official summary statement of this
4 resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to:

- 6 • Guarantee the right to reproductive freedom which shall include a woman's right to
7 health care for miscarriages, ectopic pregnancies, and medical emergencies;
8 • Prohibit surgeries, hormones, and drugs used on children for gender transitions;
9 • Prohibit taxpayer-funded abortions; and
10 • Prohibit abortions except for medical emergencies, rape, or incest?".

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